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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,945	12/20/2001	Dalsu Lee	14305STUS01U (22171.289)	2615

27683 7590 09/16/2003
HAYNES AND BOONE, LLP
901 MAIN STREET, SUITE 3100
DALLAS, TX 75202

EXAMINER

CASCHERA, ANTONIO A

ART UNIT	PAPER NUMBER
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2697

DATE MAILED: 09/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,945

Applicant(s)

LEE, DALSU

Examiner

Antonio A Caschera

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 10/21/2002 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because certain citations (in particular citation no. AB, AC, AD, AF and AH) fail to include specific publication dates. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

Specification

2. The disclosure is objected to because of the following informalities:
- a. The reference to, "Fig. 2B," on page 5, paragraph 23, line 2 should be replaced with, "Fig. 1B," as the drawings do not contain a Fig. 2B, Appropriate correction is required.

Claim Objections

3. Claim 1 is objected to because of the following informalities:

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- a. The phrase, "...the relative position of the first icon to the second icon indicates the a of the script," should be replaced with, "...the relative position of the first icon to the second icon indicates a flow of the script," (see lines 9-10 of claim 1).

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 4, 6 and 8-12 rejected under 35 U.S.C. 102(b) as being anticipated by Fiszman et al. (U.S. Patent 6,115,646).

In reference to claims 1 and 6, Fiszman et al. discloses a generic process automation engine (GPAE) incorporated into a system to provide workflow management services in a computing environment (see lines 1-4 of abstract). Note, the office interprets the automation system of Fiszman et al. to be substantially similar to the application builder of applicant's claims because the system of Fiszman et al. is substantially building a managing application for control over the processes of the computer system. Fiszman et al. discloses inputting process definitions into the automation system which includes a graphical user interface (see column 5, lines 11-15 and Figure 5). Fiszman et al. further discloses displaying the process definition in a graphical user interface window using a graph of multiple work items connected with links (see column 14, lines 43-50 and #160, 170, 171 of Figure 9). Note, the office interprets the work

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items displayed in the process definition graph to be substantially similar to icons as the user has the ability to drag the work items which, when moved, effect linked work items (see columns 14-15, lines 50-13). Fiszman et al. also discloses creating an activity definition for the process which defines the flow of the process (see column 16, lines 42-65 and Figure 13). Note, the office interprets an atomic unit of work, which is represented by an activity definition (see column 16, lines 43-45), substantially similar to the script of applicant's claims. Also, in reference to claim 6, Fiszman et al. discloses the GPAE able to accept process definition inputs and a "build time" operating section, in order to create process and activity definitions (see #10, 12 and 22 of Figure 1).

In reference to claim 4, Fiszman et al. discloses all of the claim limitations as applied to claim 1 above in addition, Fiszman et al. discloses performing the atomic unit of work by defining the starting and stopping of an execution (see columns 16-17, lines 66-5).

In reference to claim 8, Fiszman et al. discloses all of the claim limitations as applied to claim 6 above in addition, Fiszman et al. discloses a repository for storing process and activity definitions (see column 9, lines 51-54 and #82 of Figure 3).

In reference to claim 9, Fiszman et al. discloses all of the claim limitations as applied to claim 6 above in addition, Fiszman et al. discloses the automation system connected, via a computer network, to user workstations (see column 9, lines 58-61). Note, the office interprets the system of Fiszman et al. substantially similar to the application server of applicant's claim as the system of Fiszman et al. is accessible over a computer network and executes activities or units of work.

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In reference to claim 10, Fiszman et al. discloses all of the claim limitations as applied to claim 6 above in addition, Fiszman et al. discloses the process definition to comprise of one or more programmable work items which are depicted in Figure 9 as substantially similar to "icons" (see column 14, lines 49-50 and #150, 152, 154, 163, 158, 170, 171 of Figure 9).

In reference to claim 11, Fiszman et al. discloses all of the claim limitations as applied to claim 10 above in addition, Fiszman et al. discloses the work items to possibly be sub-processes which the office interprets as substantially similar to sub-objects (see column 14, lines 50-53).

In reference to claim 12, Fiszman et al. discloses all of the claim limitations as applied to claim 10 above in addition, Fiszman et al. discloses the work items to possibly be sub-processes which the office interprets as substantially similar to sub-objects (see column 14, lines 50-53).

Note these processes are seen as substantially similar to methods, by the office.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 3, 5, 7, 13-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Fiszman et al. (U.S. Patent 6,115,646).

In reference to claims 2, 3 and 7, Fiszman et al. discloses all of the claim limitations as applied to claims 1 and 6 above. Fiszman et al. does not explicitly disclose generating the script using a markup language or an extensible markup language (conventionally non-script

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programming languages) however, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to utilize a markup type language in generating the activities of Fiszman et al. if the activities involved web-based processing. Applicant has not disclosed that using a markup language (a conventionally non-script language) provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with the current coding style of Fiszman et al. because different applications may require the use of different programming languages for example, accessing a UNIX based server may require different commands than accessing a Windows based server. Therefore, it would have been obvious to one of ordinary skill in this art to modify Fiszman et al. to obtain the invention as specified in claims 2, 3 and 7.

In reference to claim 5, Fiszman et al. discloses all of the claim limitations as applied to claim 4 above. Fiszman et al. does not explicitly disclose executing the script using a virtual machine with reflection however, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to implement a virtual machine with reflection in the system of Fiszman et al. especially if the managed processes were web-based. Applicant has not disclosed that utilizing a virtual machine with reflection to execute a script provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with the GPAE processing of Fiszman et al. because virtual machines using reflection are utilized in JAVA, a language used at the preference of the designer and which might best suit the

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application at hand. Therefore, it would have been obvious to one of ordinary skill in this art to modify Fiszman et al. to obtain the invention as specified in claim 5.

In reference to claims 13-16, Fiszman et al. discloses all of the claim limitations as applied to claim 6 above. Fiszman et al. does not explicitly disclose the object providing functionality for an automatic call distribution system, an interactive voice response system, electronic mail system or a website server however, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the managing of processes of the system of Fiszman et al. to apply to the above systems as the system of Fiszman et al. allows for the definition of processes and activities (see Figures 9 and 13 of Fiszman et al.). Applicant has not disclosed that the object providing functionality for an automatic call distribution system, an interactive voice response system, electronic mail system or a website server provides an advantage or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with the process and activity definitions of Fiszman et al. because the management of telephonic, voice, electronic mail systems and websites could be accomplished with the system of Fiszman et al. by editing the content of the process and activity definitions. Therefore, it would have been obvious to one of ordinary skill in this art to modify Fiszman et al. to obtain the invention as specified in claims 13-16.

In reference to claim 17, Fiszman et al. discloses a generic process automation engine (GPAE) incorporated into a system to provide workflow management services in a computing environment (see lines 1-4 of abstract). Note, Fiszman et al. does not explicitly disclose selecting an application to process the request however it would have been obvious to one of ordinary skill in the art at the time the invention was made to select an application to process a

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request as it is well known in the art that different applications process different files utilizing different resources which maybe requested for execution (Official Notice). Fiszman et al. discloses receiving an input in the form of a request to the engine to run a process (see column 5, lines 35-36). Fiszman et al. discloses receiving process definitions which represent an operational flow of the process (see column 5, lines 11-15 and #12 of Figure 1). Although Fiszman et al. also discloses executing the processes using the GPAE (see column 5, lines 61-67), Fiszman et al. does not explicitly disclose executing the selected application by interpreting the script and using a virtual machine with reflection. At the time the invention was made, it would have been obvious to one of ordinary skill in the art to implement a virtual machine with reflection in the system of Fiszman et al. especially if the managed processes were web-based. Applicant has not disclosed that utilizing a virtual machine with reflection to execute a script provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with the GPAE processing of Fiszman et al. because virtual machines using reflection are utilized in JAVA, a language used at the preference of the designer and which might best suit the application at hand. Therefore, it would have been obvious to one of ordinary skill in this art to modify Fiszman et al. to obtain the invention as specified in claim 5.

In reference to claim 18, claim 18 is similar in scope to the combination of claims 1 and 8 and therefore is rejected under similar rationale. Further, Fiszman et al. does not explicitly disclose computer-readable medium having computer-readable instructions for performing the methods of claims 1 and 8 however, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a computer-readable medium containing

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computer-readable instructions for executing the methods of Fiszman et al. as computers are well known in the art to comprise of such components of which. Further, a computer lacking such components would not be able to execute or process any data (Official Notice).

In reference to claim 19, Fiszman et al. discloses all of the claim limitations as applied to claim 18 above. Claim 19 is similar in scope to claim 9 and therefore is rejected under similar rationale. Further, see claim 18 rejection in regards to the computer-readable medium and instructions.

In reference to claim 20, Fiszman et al. discloses all of the claim limitations as applied to claim 19 above. Claim 20 is similar in scope to claim 5 and therefore is rejected under similar rationale. Further, see claim 18 rejection in regards to the computer-readable medium and instructions.

References Cited

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- a. Hsu et al. (U.S. Patent 5,581,691)
 - Hsu et al. discloses a workflow management system and method in a computer environment.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Antonio Caschera whose telephone number is (703) 305-1391.

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The examiner can normally be reached Monday-Thursday and alternate Fridays between 7:00 AM and 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso, can be reached at (703)-305-3885.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

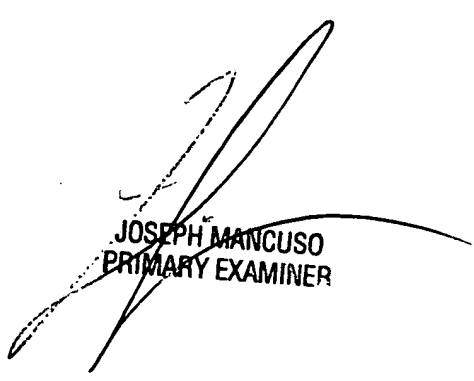
(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

aac

9/2/03


JOSEPH MANCUSO
PRIMARY EXAMINER